2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Steps to promote the achievement of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Canada*

1. At the sixty-ninth session of the UN General Assembly, Canada supported resolution 69/29 which called for the establishment of a nuclear-weapon-free zone in the Middle East. In addition, Canada voted in favour of resolution 69/37 entitled "Towards a nuclear-weapon free world: accelerating the implementation of nuclear disarmament commitments" which, inter alia, called on States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to work towards the full implementation of the resolution on the Middle East adopted at the 1995 NPT Review Conference. It also recognized the endorsement by the 2010 NPT Review Conference of practical steps in a process leading to the full implementation of the 1995 resolution, including the convening of a conference, to be attended by all States of the region, on the establishment of a Middle East zone free of weapons of mass destruction (WMD). Canada voted against resolution 69/78 entitled "The risk of nuclear proliferation in the Middle East". As expressed in Canada's explanation of vote, the resolution unfairly singled out Israel by calling for its accession to the NPT while failing to address serious nuclear non-compliance issues by States in the region, particularly Iran and Syria.

2. Canada is committed to advancing the outcomes of the 2010 NPT Review Conference, including a conference on a WMD-Free Zone in the Middle East. Canada expresses its on-going support for the informal consultation process led by the Facilitator of the conference, Finnish Ambassador Jaakko Laajava, and the three convenors to consult broadly with all relevant stakeholders to arrive at modalities for a conference and ensure a successful conference to be attended by all States in the region on the basis of arrangements freely arrived at. Any WMD-free zone should be negotiated by States in the region for States in the region, with support from other actors as requested.

3. Canada has called for the universal and full adherence and compliance with the NPT by States in the Middle East. At the International Atomic Energy Agency (IAEA), Canada actively supported the adoption of a resolution on the application

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of safeguards in the Middle East by the IAEA General Conferences in 2005 and 2006. Canada regrets that it was unable to support this annual resolution from 2007 to 2014, given that changes presented by the drafters were not the result of a consensus approach and because the resolution did not address serious breaches in compliance with NPT safeguards requirements by Iran and Syria, as determined by the IAEA and reported by the Agency to the UN Security Council. Canada has also worked with other States within the context of successive IAEA General Conferences to prevent unhelpful and politically-motivated resolutions from having a negative impact on efforts aimed at establishing a Nuclear Weapon Free Zone in the Middle East.

4. Canada notes that, unfortunately, not all NPT States Party in the region have ratified a Comprehensive Safeguards Agreement (CSA) with the IAEA. Canada appeals to all States in the region to contribute further to regional stability and security by concluding Additional Protocols to their respective CSAs, which Canada considers the current verification standard pursuant to NPT Article III.

5. With regard to the Comprehensive Nuclear-Test-Ban Treaty (CTBT), Canada cosponsored resolution 69/81 at the sixty-ninth session of the UN General Assembly, and has also encouraged all states in the region, particularly those listed in Annex 2 of the Treaty, to ratify the Treaty as a confidence and security building measure. Canadian technical experts participated as observers in the Integrated Field Exercise hosted by Jordan in November and December 2014 to test the CTBT Organization's on-site inspection capabilities. The exercise featured airborne radiation detection equipment contributed by Canada through its Global Partnership Program to the CTBT Organization in September 2013.

6. Canada shares the international community's serious concerns about the scope and nature of Iran's nuclear program and Iran's ongoing failure to meet its safeguards obligations. Iran has lost the confidence of the IAEA Board of Governors and the UN Security Council through its two-decade-long history of concealing nuclear activities and facilities. In light of this track record, as well as Iran's failure to provide any plausible justification for its efforts to acquire the full nuclear fuel cycle, Canada fully supports UN Security Council Resolutions 1696, 1737, 1747, 1803, 1835, 1929, 1984, 2049, 2105, and 2159, and IAEA Board of Governors Resolutions GOV/2003/69, GOV/2003/81, GOV/2004/21, GOV/2004/49, GOV/2004/79, GOV/2004/90, GOV/2005/64, GOV/2005/77, GOV/2006/14, GOV/2009/82, GOV/2011/69, and GOV/2012/50. These resolutions indicate clearly Iran's non-compliance with its legal safeguards obligations and express the international community's desire for a negotiated diplomatic solution, which verifiably ensures the exclusively peaceful nature of Iran's nuclear program.

7. Iran is in non-compliance with its CSA and is in violation of six substantive UN Security Council resolutions and twelve IAEA Board of Governors resolutions. Canada notes the IAEA's confirmation that Iran has so far implemented all of its required actions under the Joint Plan of Action but at the same time, Iran has failed to implement all of the practical measures it agreed to under the Framework for Cooperation. Canada firmly believes that a comprehensive solution will require all outstanding issues to be resolved. Iran continues to be the only State with a CSA in force that refuses to implement modified Code 3.1 provisions of its Subsidiary Arrangements, in violation of that CSA. Furthermore, Iran is required by binding resolutions of the Board of Governors and the Security Council to take steps toward

the full implementation of its Safeguards Agreement as well as its Additional Protocol. It has failed to do so. As such, the IAEA is not in a position to provide credible assurances about the absence of undeclared nuclear activities in Iran or to confirm that all nuclear material in Iran is being used for exclusively peaceful purposes.

8. Canada has previously made clear that for Iran to regain its place in the global community it must resolve all non-compliance issues. Chief among these are the possible military dimensions (PMD) of its nuclear research outlined in the annex to the IAEA Director General's report of November 2011 (GOV/ 2011/65) — research which can only be understood in the context of a nuclear weapons development program. Iran must live up to its commitments to the IAEA under the Framework for Cooperation. Canada stresses that the Agency must clarify and confirm all information provided by Iran and that these measures should not be seen as static or fixed requirements, but rather elements in an on-going process intended to provide the Agency a complete understanding of Iran's nuclear program. In this regard, we expect Iran to cooperate fully, to answer all questions posed by the IAEA and to offer the IAEA access to any necessary sites, material or personnel.

9. Canada remains deeply concerned about findings that point to possible undeclared nuclear material, facilities and activities in Syria, and suggest nuclear cooperation between Syria and North Korea in contravention of the NPT. Canada fully supported the Board of Governors Resolution (GOV/2011/41) requesting the IAEA Director-General to report to the UN Security Council the assessment that an undeclared nuclear reactor existed at Dair Alzour, in breach of Syria's safeguards obligations. While recognizing challenges posed by the current security situation in Syria, the IAEA continues to report that the Assad regime has failed to provide the necessary cooperation needed to address Syria's outstanding compliance issues. We continue to call on Syria to urgently remedy its non-compliance and to meet its own commitment to "fully cooperate with the Agency to resolve related outstanding issues", so that the Agency can provide the necessary assurances as to the exclusively peaceful nature of Syria's nuclear program. Local authorities must be ready to provide access to the sites to which the Agency has requested. We also continue to urge Syria to bring into force an Additional Protocol as soon as possible. It is only through full, transparent and proactive cooperation with the IAEA that Syria can restore confidence with respect to the scope and nature of its nuclear program.

10. Canada has called on all remaining States not party to the NPT to join as non-nuclear-weapon States. As a confidence-building measure in advance of this ultimate goal, Canada has also called on these same States to separate civilian and military fuel cycles and to place all civilian nuclear activities under IAEA safeguards. These statements are in conformity with both the policies and actions of Canada, which include Canada's voting record on the resolutions at the sixty-ninth session of the UN General Assembly which are referenced in paragraph one of this report.

11. Canada recognizes the growing interest in nuclear energy among States Parties in the Middle East and welcomes the announcements made by a number of such States concerning new initiatives in this field. In welcoming these initiatives, we note that all nuclear power programs should be accompanied by the strongest commitments to nuclear non-proliferation, nuclear safety and nuclear security.